

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION
Plaintiff

CASE NO. 12 Civ. 6421. 6421

v.

EDWARD BRONSON, E-LIONHEART
ASSOCIATES LLC b/b/a FAIRHILLS CAPITAL
Defendants

And

FAIRHILLS CAPITAL, LLC
Relief Defendant

Granted,
Served
MK
11/22/22

PRO SE MOTION TO APPEAR AT HEARING VIA REMOTE
ELECTRONIC VIDEO.

COMES NOW, Mark E. Pena pro se, and moves this Honorable court for an Order allowing him to appear at the December 12, 2022 Motion for Contempt Hearing in this matter via remote electronic video (ZOOM) and in support would state:

1. In July of 2021, the undersigned was diagnosed with congestive heart failure by his cardiologist.
2. Since that time, I have been on a medicine, including seven pills daily, and dietary and exercise regime in an attempt to avoid another cardiac event.

3. I suffer from extreme loss of breath and can barely walk ten feet before having to stop and recuperate.
4. All forms of travel are a hardship and can cause a cardiac event due to the stress placed on my heart.
5. I have been called as a witness to testify regarding this matter and I am not a party.
6. Whatever testimony I can give can just as easily be made via remote video live stream third party.
7. Allowing me to appear remotely causes no party any prejudice.
8. Counsel for the Securities & Exchange Commission has been made aware of my motion and has no objection to it as neither does counsel for the Defendant.
9. I am a practicing attorney but am not representing anyone as an attorney in this matter and am not licensed before the Southern District of New York

WHEREFORE, I would respectfully request that this Honorable Court Grant my motion and

allow me to appear and testify via remote electronic means.

Respectfully Submitted,
/s/ Mark E. Pena
Pro Se
4230 So. MacDill Ave, Suite I
Tampa, FL. 33611
Telephone: (813) 251-1289

Facsimile: (813) 831-1143

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been furnished via electronic mail to Plaintiff at Kingmp@sec.gov and to the Defendant at Paul Rachmuth paul@paresq.com on this 16th day of November, 2022.

/s/ Mark E. Pena

MARK E. PENA, ESQUIRE